
Dignity at Work

[Formerly Harassment and Sexual Harassment and Bullying]

Turas Training

Approval date: December 2023

Revision date: December 2025

1. Policy Statement

- 1.1. Turas recognises that all employees are entitled to be treated with dignity and respect in the workplace and that the organisation has a duty of care to treat all employees with dignity and respect.
- 1.2. This policy provides definitions of bullying, harassment and sexual harassment as set out in the following Codes of Practice:
- 1.3. The Health and Safety Authority's Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work
- 1.4. The Labour Relations Commission's (LRC) Code of Practice Detailing Procedures for Addressing Bullying in the Workplace
- 1.5. The Equality Authority's Code of Practice on Sexual Harassment and Harassment at Work

2. Purpose

- 2.1. The policy outlines how employees will be protected from sexual harassment and harassment and bullying regardless of whether it is carried out by a work colleague or a person with whom employees come into contact during the course of their work e.g. patient/client, contractor, visitor, supplier.

3. Scope

- 3.1. This policy covers all staff members, locum workers and volunteers within the organisation. It also includes people from other agencies conducting in-reach services in Turas for the time they are on the premises.

4. Glossary of Terms and Definitions

- 4.1. Harassment:
- 4.2. Harassment (other than sexual harassment) is any form of unwanted conduct related to any of the discriminatory grounds covered by the Employment Equality Acts 1998 to 2008. These grounds are:
 - 4.2.1. gender
 - 4.2.2. marital status
 - 4.2.3. family status
 - 4.2.4. sexual orientation
 - 4.2.5. religion
 - 4.2.6. age
 - 4.2.7. disability
 - 4.2.8. race
 - 4.2.9. membership of the traveller community.
- 4.3. Harassment is defined in the Act as any form of unwanted conduct related to any of these discriminatory grounds which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.
- 4.4. Harassment is inappropriate behaviour based on the relevant characteristic of the employee such as race, religion, age or any of the other grounds covered by the Act. Inappropriate behaviour that is not linked to one of the nine discriminatory grounds is not covered by this definition. Harassment may be targeted at one employee or a group of employees. Harassment may consist of a single incident or repeated inappropriate behaviour.
- 4.5. The following are examples of inappropriate behaviour which may constitute harassment. These examples of harassment are illustrative but not exhaustive:
 - 4.5.1. Verbal harassment, e.g. jokes, derogatory comments, ridicule or song
 - 4.5.2. Written harassment, e.g. faxes, text messages, e-mails or notices
 - 4.5.3. Physical harassment, e.g. jostling or shoving
 - 4.5.4. Intimidation harassment, e.g. gestures or threatening poses
 - 4.5.5. Visual displays, e.g. posters, emblems or badges

- 4.5.6. Persistent negative body language
- 4.5.7. Ostracising a person
- 4.6. An act of harassment may occur outside the work premises or normal working hours
- 4.7. provided the perpetrator was acting in the course of employment, for example, at a
- 4.8. training course, conference or work-related social event.
- 4.9. Sexual Harassment:
 - 4.10. Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.
 - 4.11. Sexual harassment may consist of a single incident or repeated inappropriate behaviour. It may be targeted at one employee or a group of employees.
 - 4.12. The following are some examples of inappropriate behaviour which may constitute sexual harassment. These examples are illustrative but not exhaustive:
 - 4.12.1. Physical conduct of a sexual nature, e.g. unwanted physical contact such as unnecessary touching, patting or pinching or brushing against another employee's body
 - 4.12.2. Verbal conduct of a sexual nature, e.g. unwelcome sexual advances, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace after it has been made clear that such suggestions are unwelcome, unwanted and offensive flirtations, suggestive remarks, innuendos or lewd comments
 - 4.12.3. Non-verbal conduct of a sexual nature, e.g. the display of pornographic or sexually suggestive pictures, objects, written materials, emails, text-messages or faxes
 - 4.12.4. Unwanted or derogatory comments about dress or appearance
 - 4.12.5. Leering and suggestive gestures
 - 4.13. An act of sexual harassment may occur outside the work premises or normal working hours provided the perpetrator was acting in the course of employment, for example, at a training course, conference or work-related social event.
- 4.14. Workplace Bullying:
- 4.15. What is Workplace Bullying? Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once off incident is not considered to be bullying. A key characteristic of bullying is that it usually takes place over a period of time. It is regular and persistent inappropriate behaviour which is specifically targeted at one employee or a group of employees. It may be perpetrated by someone in a position of authority, by employees against a manager or by employees in the same grade as the recipient.
- 4.16. What Bullying is Not
- 4.17. The following do not constitute bullying:
 - 4.17.1. An isolated incident of inappropriate behaviour may be an affront to dignity at work but, as a once-off incident, is not considered to be bullying, e.g. an occasional bout of anger or a conflict of views.
 - 4.17.2. Fair and constructive criticism of an employee's performance, conduct or attendance.
 - 4.17.3. Reasonable and essential discipline arising from the good management of the performance of an employee at work.
 - 4.17.4. Actions taken which can be justified as regards the safety, health and welfare of the employees.
 - 4.17.5. Legitimate management responses to crisis situations which require immediate action.
 - 4.17.6. Complaints relating to instructions issued by a manager, assignment of duties, terms conditions of employment or other matters which are appropriate for referral under the normal grievance procedure.

- 4.18. Examples of Bullying
- 4.19. The following are some examples of the type of behaviour which may constitute
- 4.20. bullying. These examples are illustrative but not exhaustive:
- 4.21. Constant humiliation, ridicule, belittling efforts – often in front of others
- 4.22. Verbal abuse, including shouting, use of obscene language and spreading malicious rumours
- 4.23. Showing hostility through sustained unfriendly contact or exclusion
- 4.24. Inappropriate overruling of a person's authority, reducing a job to routine tasks well below the person's skills and capabilities without prior discussion or explanation
- 4.25. Persistently and inappropriately finding fault with a person's work and using this as an excuse to humiliate the person rather than trying to improve performance
- 4.26. Constantly picking on a person when things go wrong even when he/she is not responsible
- 4.27. Bullying/Harassment by Non-Employees
- 4.28. This Policy protects employees from bullying, sexual harassment or harassment perpetrated by a patient/client, supplier, visitor or any other person with whom employees may come into contact during the course of their work.
- 4.29. Bullying/harassment by non-employees may result in the termination/non-renewal of business contracts, the suspension/non-renewal of services, exclusion from the premises or the imposition of other appropriate sanctions.
- 4.30. If an employee feels that s/he has been subjected to inappropriate behaviour by a non-employee, s/he should bring the matter to the attention of his/her manager so that the matter can be investigated and appropriate action taken.

5. Roles and Responsibilities

- 5.1. The Safety, Health and Welfare at Work Act 2005 states that organisations need to have a nominated person to respond to bullying and harassment. Within Turas this role is that of the Project Manager, their responsibilities are to:
 - 5.1.1. Positively promote and exemplify all aspects of dignity at work.
 - 5.1.2. Ensure that the staff team is aware of the Sexual Harassment, Harassment and Bullying Policy.
 - 5.1.3. Address the actions of any team member who is behaving in an unacceptable manner.
 - 5.1.4. Take seriously any complaints which are brought to their attention.
 - 5.1.5. Monitor and follow up the situation after a complaint is made ensuring that an employee is not victimised for raising a complaint.
 - 5.1.6. Act as a point of contact for staff who feel they may have been harassed, sexually harassed or bullied and to follow through the process as outlined in 4.
- 5.2. It is the responsibility of the employee to:
 - 5.2.1. Be aware of and ensure that personal standards of behaviour are acceptable.
 - 5.2.2. Discourage unacceptable behaviour in the workplace.
 - 5.2.3. Report any incidents of harassment, sexual harassment or bullying to either their line manager or the nominated contact person.

6. Procedures

- 6.1. Principles for addressing harassment, sexual harassment or bullying:
 - 6.1.1. The complaint will be thoroughly investigated with due sensitivity to all involved parties.
 - 6.1.2. In the interests of natural justice, the person against whom the complaint is made will be made aware of the nature of the complaint and will be given an opportunity to respond verbally or in writing.
 - 6.1.3. Complaints will be dealt at the earliest possibility; the response will be initiated within five working days from receipt of the initial complaint. All parties involved will be given a fair and impartial hearing.

- 6.1.4. Both parties will have the right to be accompanied at any interviews held during the investigation.
 - 6.1.5. There will be a right of appeal for all involved.
- 6.2. Informal Procedures
- 6.2.1. If at all possible staff members would be encouraged to seek to resolve the situation by explaining to the person involved that their behaviour is unwanted or inappropriate. The person whose behaviour is causing concern may be unaware that their actions are inappropriate, or it may happen that his or her words or actions have been misinterpreted. In such cases every attempt should be made to clear up the misunderstanding quickly, on an informal basis.
 - 6.2.2. In circumstances where the complainant finds it difficult to approach the alleged respondent he or she should seek help on a confidential basis from their supervisor. In such an occasion the contact person/supervisor should listen patiently, be supportive and discuss the various options available.
 - 6.2.3. The employee may decide to raise a formal complaint, the named contact person, on receipt of a complaint, may initially try to resolve the matter informally on the condition that they have the consent of the parties involved.
 - 6.2.4. A complainant may decide to bypass the informal procedure.
- 6.3. Formal Procedures
- 6.3.1. If the situation continues or is serious, a formal (written) complaint should be made to the complainant's immediate supervisor, or to the named contact person within this policy. If the complaint is in regard to the supervisor or the named contact person, the complaint should be raised with the person who is next in a more senior role, i.e. the senior officer within the service of the chairperson of the (management committee / board).
 - 6.3.2. A written complaint should include:
 - 6.3.2.1. the name of the person/s against whom you are making the complaint;
 - 6.3.2.2. the nature of the alleged complaint;
 - 6.3.2.3. dates and times when the incidents occurred;
 - 6.3.2.4. names of witnesses to the incidents;
 - 6.3.2.5. a note of any action taken to stop the alleged sexual harassment/bullying/harassment.
 - 6.3.3. The person/s against whom the complaint is being made against will be notified in writing that an allegation has been made against him/her. He or she should be given a copy of the complaint and any supporting documentation and be advised that he or she shall be afforded a fair opportunity to respond to the allegation(s).
- 6.4. Investigation:
- 6.4.1. An investigation should be conducted by a member of management team within the organisation. An investigation should be thorough, impartial and conducted with sensitivity, with due respect for both the complainant and perpetrator(s).
 - 6.4.2. The investigation should be conducted within a reasonable timeframe agreed as much as possible between the parties in advance.
 - 6.4.3. The investigator should meet the complainant and the respondent(s) and any witnesses or relevant parties on an individual confidential basis. Both the complainant and the respondent may be accompanied by a work colleague or employee/trade union representative.
 - 6.4.4. On completion of the investigation, the investigator will submit a written report to the management committee/board.
 - 6.4.5. The complainant and respondent(s) should be informed in writing of the findings of the investigation.
 - 6.4.6. Both parties should be given the opportunity to comment on any findings before an action is decided upon.

6.5. Outcome

- 6.5.1. Should management decide that the complaint is well founded; the respondent will be engaged in a formal disciplinary procedure.
- 6.5.2. If the organisation has grounds to believe that a complaint about harassment, sexual harassment or bullying is false or malicious in nature, it will be taken very seriously and the person making the allegations will be investigated and may face disciplinary action.

6.6. Appeals

- 6.6.1. The alleged respondent will be afforded the opportunity to appeal. This should be done in writing. The respondent will be invited to an appeal meeting, and the appeal will be heard by a member of the (management committee/board) not involved in producing the initial report. The respondent has the right to representation by a trade union representative or a colleague. After the meeting the organisation representative taking the appeal will give a decision normally within 10 days. The decision of the appeal is final within the organisation.

6.7. Protection against Intimidation

- 6.7.1. The organisation will protect employees and service users against intimidation, victimisation or discrimination if they file a complaint or assist in a bullying investigation. Employees or service users found retaliating against an employee for complaining about bullying will be subject to the disciplinary procedure.

6.8. False or Malicious Complaints

- 6.8.1. If the organisation becomes aware that a complaint about bullying is false or malicious in nature, again the disciplinary procedure will be used on the employee making the false complaint. If the false complaint has been made by a service user then services to that service user may cease immediately.